

**IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD**

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

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Writ Petition No.24277 of 1997

DATED 22-2-2007

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BETWEEN

Karri Vykunta Rao and 4 others.

.. Petitioners

And

The Commissioner of Hindu Religious and
Charitable Endowments, Government of Andhra
Pradesh, Tilak Road, Hyderabad an 3 others.

.. Respondents

THE HONOURABLE SRI JUSTICE RAMESH RANGANATHAN

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WRIT PETITION NO.24277 of 1997

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ORDER:

Four Vratha Purohits, along with the Vratha Purohitula Samkshema Sangham, have approached this Court seeking parity in pay scales, at least with that of Record Assistants in the 4th respondent Devasthanam – Sri Veeravenkata Satyanarayana Swamivari Devasthanam, Annavaram. Their case, in short, is that while they conduct Satyanarayana Vratha Poojas in the Annavaram Devasthanam, and the fees collected for performing such Poojas constitutes the main source of revenue of the Devasthanam, they are being paid a pittance as monthly remuneration. Details of the ever increasing annual income of the Devasthanam are furnished in

justification of the plea that they should at least be treated on par with Record Assistants for payment of pay scales.

In the counter affidavit filed by the respondents, it is stated that since the expenditure incurred by the Devasthanam has exceeded the statutory limit of 30%, any increase in the monthly remuneration now being paid to the Vratha Purohiths would violate the statutory provision of the Endowments Act and the Rules made there under. It is also stated that the entire amount received towards sale of tickets for conducting the Sathyanarayana Vratha Poojas is taken into account and 25% thereof is distributed among the Vratha Purohiths, who are graded into 5 distinct categories and to ensure that they have a minimum monthly income for sustenance, the Vratha Purohiths are paid a monthly remuneration of Rs.3,700/-, Rs.2,700/-, Rs.2,100/-, Rs.1,800/- and Rs.1,500/- per month. It is also stated that, if there is any surplus remaining from out of the 25% of the amount received, the same is paid at the end of the financial year proportionately, category-wise.

Sri Abhinand Kumar Shavili, learned counsel for the petitioners would draw attention of this Court to the proceedings of the 1st respondent dated 15.4.1997 whereunder the 2nd respondent was requested to advise that the expenditure on payment of remuneration to Vratha Purohiths should not exceed 25% of the income derived by the temple on the sale of tickets of

Vrathams during a year.

Learned counsel would submit that since the said proceedings indicate that 25% of the income derived by the temple on the sale of

tickets of Vratams is to be the maximum limit for paying remuneration to the Vratha Purohiths, even if the total amount paid as monthly remuneration to these Vratha Purohiths falls short of 25%, the said proceedings of the Government does not require the Devasthanam to pay them the differential amount between the amount actually paid and the amount which constitutes 25% of the proceeds received towards the sale of Vratam tickets. Learned counsel would also express apprehension that the surplus amount distributed at the end of the year may not be distributed proportionately among all the Vratha Purohiths and, while some may take a share beyond what they are entitled to, others may not even be paid the amounts legitimately due to them. I find considerable force in this apprehension expressed by the learned counsel.

Since it is the specific case of the respondents in their counter affidavit and Sri E.Sambasiva Pratap, learned standing counsel, would fairly agree that 25% of the proceeds received towards the sale of Vratam tickets is to be paid towards the remuneration of the Vratha Purohiths category-wise, there shall be a direction to respondents 3 and 4 to ensure that this 25% is paid to the Vratha Purohiths proportionately. With a view to ensure that mal-practices are avoided, there shall be a direction to the Executive Officer of the 4th respondent Devasthanam to intimate the surplus amount available at the end of the year to each of the individual Vratha Purohiths concerned, require the 5th petitioner association to furnish details of the manner of computation and the actual amount payable to each of the Vratha Purohiths and ensure that the amounts due are actually paid. It shall be the responsibility of the Executive

Officer to ensure strict compliance of the aforesaid directions to assuage any apprehensions, which a section of the Vratha Purohiths may have of their being denied the amounts legitimately due to them. Learned standing counsel would fairly submit that the 4th respondent would take all necessary steps in this regard to ensure that no mal practice occurs in payment of the differential amount between 25% of the amounts received towards sale of Vratham tickets and the monthly remuneration paid to the Vratha Purohiths category wise. The other relief, which the petitioners seek of parity in pay scales, with that of Record Assistants in the Devasthanam, cannot be granted in view of the categorical averment in the counter affidavit that any such payment would exceed the statutory limit of 30%.

The writ petition is disposed of with a direction to respondents 3 and 4 to ensure strict compliance with the aforesaid directions of this Court. No costs.

RAMESH RANGANATHAN,J

Dt: 22.2.2007

msv.